



DAN MORALES  
ATTORNEY GENERAL

Office of the Attorney General  
State of Texas

August 16, 1991

Mr. Neal J. Iverson  
Iverson & Norwood  
104 East Clayton  
P.O. Box 759  
Dayton, Texas 77535

OR91-372

Dear Mr. Iverson:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 12335.

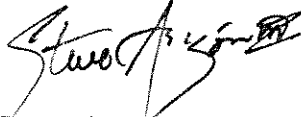
The city of Dayton received two written requests for copies of a document known as "The Bradley Report," a written report prepared by an individual hired by the city to investigate allegations made against two former city employees. You claim that the requested information is excepted by sections 3(a)(1) and 3(a)(3) of the Open Records Act.

We have considered the exceptions you claimed, specifically section 3(a)(3), and have reviewed the documents at issue. The documents submitted in connection with your request clearly disclose that the attorney representing the city in litigation commenced by one of the former employees has determined that the report relates to the litigation. A previous determination of this office, Open Records Decision No. 551 (1990), a copy of which is enclosed, resolves your request. For this reason, you may withhold the requested information. In light of this fact, it is not necessary to consider your section 3(a)(1) claims.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with

a published open records decision. If you have questions about this ruling, please refer to OR91-372.

Yours very truly,

A handwritten signature in black ink, appearing to read "Steve Aragon", written over the typed name.

Steve Aragon  
Assistant Attorney General  
Opinion Committee

SA/mc

Ref.: ID# 12335, 12779

Enclosure: Open Records Decision No. 551 (1990)

cc: Mr. William R. Buchanan  
President/General Manager  
KPXE Radio  
517 Travis  
Liberty, Texas 77575